Interpretation-clause.

21. [1] * * * * In this Act, [1] * * * * unless there be something in the subject or context repugnant to such construction, [1] * * * * *

(*1*) the term "Civil Court" shall mean and include every Court of Civil Judicature in the Presidency of Bombay whether established by Royal Charter or not.

(*2*) *and* (*3*) [*Rep. Bom. Act III of 1886.*]

THE INDUS VESSELS ACT, 1863.

CONTENTS.

PREAMBLE.

SECTIONS.

1. Vessels to be registered and marked with number, burthen and indication of place of registry.
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3. Owner to apply for certificate of registry.
   Renewal of lost certificate.
4. Fees for registration.
5. Production of certificate of registration.
6. Penalty for infringement.
7. Fees and fines aforesaid how applied.
8. Establishment of pilots and pilot-boats to be maintained.
9. Fees for vessels piloted.
10. Establishment at what places to be available.
11. Fees for vessels piloted through channels.
12. Penalty for non-payment of fees.
13. Expenditure of fees and fines realized.
14. Account to be kept of moneys received and expended.
15. Commissioner in Sindh to appoint and suspend persons and to make necessary rules.
16. [*Repealed.*]
17. Construction.
18. } [*Repealed.*]
19. }

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[1] The words "the following words and expressions" before the word "In", the words "shall have the meaning hereby assigned to them," after the word "Act," and the words "(that is to say)" after the word "construction" were repealed by the Bombay General Clauses Act, 1886 (Bom. Act 3 of 1886), Schedule B. This Schedule is printed as an Appendix to the Bombay General Clauses Act, 1904 (Bom. Act 1 of 1904), Vol. IV of this Code.

BOMBAY ACT No. I OF 1863.[1]

[THE INDUS VESSELS ACT, 1863.][1]

[*2nd February, 1863.*]

An Act for the registry of vessels and levy of pilotage-fees on the river Indus.

Preamble.

WHEREAS it is expedient to provide for the registry of vessels plying on the river Indus and its tidal channels within the Province of Sindh, and for the establishment of competent pilots, and for the levying of fees in respect of the same; [2]* * * * * It is enacted as follows:—

Vessels to be registered and marked with number, burthen and indication of place of registry.

1. Every vessel plying on the river Indus and its tidal channels within the Province of Sindh shall be registered by an officer appointed for the purpose, who shall be called the Registrar of boats, and every vessel so registered shall be marked or branded with a number, the registered burthen and a letter or letters indicating the place of registry.

Name, number, burthen, etc., to be registered.

2. The name and number and burthen of every vessel plying as aforesaid, and the name of the owner thereof, shall be registered in a book kept for that purpose by the Registrar of boats; and whenever any change shall take place in the burthen of such vessel plying as aforesaid, or in the name or names of the owner thereof, such vessel shall be again registered.

Owner to apply for certificate of registry. Renewal of lost certificate.

3. The owner of every vessel plying as aforesaid shall apply to the Registrar of boats and obtain from him a certificate of registry as aforesaid; and in the case of any certificate being lost or destroyed, a renewed certificate may be obtained in the same manner, and on the payment of the fees hereinafter mentioned.

Fees for registration.

4. The owner of every vessel registered as aforesaid shall annually or otherwise pay such [3]fees as the Governor in Council may, from time to time, direct by notification in the Government Gazette.

Production of certificate of registration.

5. The owner or person in charge of every vessel plying as aforesaid shall produce, when required by any public officer, the certificate of registry of such vessel.

Penalty for infringement.

6. In case any vessel plying as aforesaid shall not be registered, marked or branded, in all respects as hereinbefore directed, or

in case such vessel shall not be furnished with a proper certificate of registry, or

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[1] For Statement of Objects and Reasons, *see* Bombay Government Gazette, 1862, Supplement, p. 422; for Report of the Select Committee, *see ibid*, p. 588; and for Proceedings in Council, *see ibid*, pp. 583 and 797.

The short title was given by the Bombay Short Titles Act, 1921 (Bom. Act 2 of 1921). Vol. V of this Code.

[2] The words "And whereas it is expedient to indemnify certain officers in respect of acts done by them, in pursuance of the orders of the Commissioner in Sind" were repealed by the Repealing Act, 1873 (12 of 1873).

[3] *See* Bombay Local Rules and Orders.

in case the owner or person in charge of such vessel shall not produce such certificate when required as aforesaid,

the owner or person in charge of such vessel shall, on conviction thereof before a Magistrate [1][of the first class], be liable to a fine not exceeding ten times the amount of the fees payable annually in respect of the registry of such vessel, which fine, if not paid, may be recovered by sale of such vessel, her furniture, ammunition, tackle and apparel.

Fees and fines aforesaid how applied.

7. The sums realized from the fees and fines aforesaid shall be expended in removing obstructions from the channels of the river Indus, and in other ways improving the navigation of that river.

Establishment of pilots and pilot-boats to be maintained.

8. There shall be maintained such establishment of pilots and pilot-boats near the mouths of the river Indus as the Commissioner in Sindh may, from time to time, direct.

Fees for vessels piloted.

9. The person in charge of a vessel passing through any of the channels at the mouths of the river Indus shall pay to the officer duly authorized by the Registrar of boats such fee as the Governor in Council may, from time to time, direct by [2]notification in the Government Gazette, and in consideration of such payment shall receive the services of a pilot.

Establishment at what places to be available.

10. The establishment of pilots and pilot-boats shall, when necessary, be available at such place or places on the tidal channels between the port of Gizri and the river Indus as the Commissioner in Sindh may, from time to time, direct.

Fees for vessels piloted through channels.

11. The person in charge of a vessel passing through any of the tidal channels aforesaid shall pay to the officer duly authorized by the Registrar of boats such fee as may, from time to time, be fixed under the provisions of section 9 [3]* * * * *, and in consideration of such payment shall receive the services of pilots.

Penalty for non-payment of fees.

12. In case the person in charge of such vessel as aforesaid shall refuse or neglect to pay the fee payable in respect of the pilotage of such vessels, such person shall, on conviction thereof before a Magistrate [1][of the first class], be liable to fine not exceeding ten times the amount of the said fee; and such fine, if not paid, may be recovered by sale of such vessel, her furniture, ammunition, tackle and apparel.

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[1] These words were substituted for the words "Justice of the Peace, or person exercising the powers of a Magistrate within the Province of Sindh," by the Bombay General Clauses Act, 1886 (Bom. Act 3 of 1886), Schedule B. This Schedule is printed as an Appendix to the Bombay General Clauses Act, 1904 (Bom. Act 1 of 1904), Vol. IV of this Code.

[2] *See* Bombay Local Rules and Orders.

[3] The words "of this Act" were repealed by the Bombay General Clauses Act, 1886 (Bom. Act 3 of 1886), Schedule B. This Schedule is printed as an Appendix to the Bombay General Clauses Act, 1904 (Bom. Act 1 of 1904), Vol. IV of this Code.

Expenditure of fees and fines realized.

13. The sums realized from fees for pilotage and from fines for non-payment thereof shall be applied under the orders of the Commissioner in Sindh, towards the maintenance of an establishment of pilots and pilot-boats, the erection and maintenance of beacons, and generally as may best conduce to the safe passage of vessels through the mouths and tidal channels of the river Indus.

Account to be kept of moneys received and expended.

14. An account shall be kept under the orders of the Commissioner in Sindh of all sums of money received and expended under the provisions of this Act; and a statement of the same shall be published every year in the Government Gazette.

Commissioner in Sindh to appoint and suspend persons and to make necessary rules.

15. It shall be lawful for the Commissioner in Sindh, with the sanction of the Governor in Council, from time to time, to appoint such person or persons, and to suspend and remove the same, and to make such rules[1] as may be necessary for carrying out the provisions of this Act: Provided that all such rules shall be notified in the Government Gazette.

16. [*Indemnity.*] *Rep. Act XII of 1873.*

Construction.

17. A barge or flat towed by a steamer, and plying in no other manner shall not for the purposes of this Act be considered a vessel.

18. [*Interpretation.*] *Rep. Bom. Act III of 1886.*

19. [*Commencement.*] *Rep. Act XII of 1873.*

THE EXEMPTIONS FROM LAND-REVENUE (NO. 1) ACT, 1863.

CONTENTS.

PREAMBLE.

SECTIONS.

1. Power to authorize and guarantee continuance in perpetuity of land to revenue-free holders on terms and conditions agreed to. Exceptions.
2. Such lands (subject to enactments in section 3) to be heritable and transferable property of holders and continued in perpetuity, subject to payment to Government of nazrána and quit-rent.

Rules for ascertaining amount of assessment

[1] *See* Bombay Local Rules and Orders.